

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Stephanie Smith**

**Docket No. 5:11-CR-229-11BO**

**Petition for Action on Supervised Release**

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Stephanie Smith, who, upon an earlier plea of guilty to Conspiracy to Manufacture, Distribute, and Possess With Intent to Distribute 500 Grams or More of a Mixture Containing Methamphetamine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on March 2, 2012, to the custody of the Bureau of Prisons for a term of 93 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

On December 16, 2014, Smith was re-sentenced to 74 months imprisonment in accordance with an Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2). On December 30, 2014, an Order was filed that the Bureau of Prisons credit the defendant for 502 days that she served while in the custody of the North Carolina Department of Corrections. Stephanie Smith was released from custody and the term of supervised release commenced on September 16, 2016.

On January 31, 2017, a Motion for Revocation was filed noting the defendant tested positive for amphetamine/methamphetamine on November 14, 2016; December 16, 2016; December 27, 2016; and on January 4, 2017. On February 1, 2017, the defendant's case was transferred to the Honorable Terrence W. Boyle. On February 13, 2017, an Amended Motion for Revocation was filed noting Smith tested positive for amphetamine/methamphetamine on February 3, 2017. On March 21, 2017, a Judgment was entered after Smith was found to have violated her supervision conditions and ordered Smith's term of supervised release be revoked for a period of Time Served (35 days). It was further ordered the defendant be placed on supervised release for a term of 54 months.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On September 6, 2017, the defendant admitted to the undersigned probation officer that she had been consuming alcohol since July 4, 2017. Additionally, Smith was charged in Wayne County, North Carolina, with an Open Container of Alcohol in the Passenger Area (17IF703356) on September 10, 2017, which occurred on the same date. The infraction remains pending for disposition. The defendant is currently participating in drug court via the STAR Program, which includes substance abuse treatment. As such, an additional sanction to include the participation in the Remote Alcohol Monitoring Program is recommended to monitor any future consumption of alcohol. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 120 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

Stephanie Smith  
Docket No. 5:11-CR-229-11BO  
Petition For Action  
Page 2

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Michael W. Dilda  
Michael W. Dilda  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2342  
Executed On: September 27, 2017

**ORDER OF THE COURT**

Considered and ordered this 28 day of September, 2017, and ordered filed and  
made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge